

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

STUDENTS FOR FAIR ADMISSIONS,
INC.

Plaintiff,

v.

UNIVERSITY OF TEXAS AT AUSTIN,
ET AL.,

Defendants.

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Civil Action No. 1:20-cv-00763-RP

**AGREED MOTION TO
CLARIFY OR AMEND THE SCHEDULING ORDER**

Plaintiff, the Defendants, and the Defendant-Intervenors file this Agreed Motion to Clarify or Amend the Scheduling Order and would respectfully show:

This Court entered a scheduling order in the above-styled case on January 5, 2021. (Dkt. 33).

Under the scheduling order, “[a]ll dispositive motions shall be filed on or before April 27, 2022 and shall be limited to 40 pages. Responses shall be filed and served on all other parties not later than 28 days after the service of the motion and shall be limited to 40 pages. Any replies shall be filed and served on all other parties not later than 14 days after the service of the response and shall be limited to 20 pages[.]” *Id.* at 4, ¶ 9. On March 8, 2021, Defendants filed a motion for dismissal or alternatively for summary judgment (Dkt. 45), and Defendant-Intervenors filed a motion to dismiss (Dkt. 44).

The parties have been operating under the belief that paragraph 9 of the Court’s scheduling order applies to these motions. Under this paragraph, Plaintiff’s responses to Defendants’ and Defendant-Intervenors’ dispositive motions are limited to 40 pages and are due on April 5, 2021, and Defendants’ and Defendant-Intervenors’ replies are limited to 20 pages and are due 14 days later on April 19, 2021.

To the extent this interpretation is incorrect, the parties respectfully request that the Court enter an order adopting this schedule. SFFA has needed the additional time and needs additional pages to respond to Defendants' motion (33 pages plus exhibits) and Defendant-Intervenors' motion (17 pages plus exhibits). In addition, Defendants and Defendant-Intervenors anticipate they each may need as many as 14 days and 20 pages to respond to SFFA's oppositions.

The clarification or amendment of the scheduling order requested will not impact the date of trial. A proposed order is attached. The requested clarification and/or amendment to the scheduling order is not for purposes of delay but so that justice may be done.

Respectfully Submitted,

By: /s/ J. Michael Connolly

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*Western District application pending

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing has been served on counsel of record on March 31, 2021 through the Court's CM/ECF system.

/s/ J. Michael Connolly
J. Michael Connolly